

RECEIVED  
CENTRAL FAX CENTER  
MAR 21 2005

PTO/SB/07 (08-00)

Approved for use through 10/31/2002, OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Number: 10/726,756

Filing Date: 12/3/2003

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the  
United States Patent and Trademark Office

on 03/21/2005

Date

  
Signature

LeAnn M. Sassman

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify  
each submitted paper.

1. Fee Transmittal
2. Response to Office Action Dated 12/21/2004

Total Pages Transmitted: 12

(703) 872-9306

BE1-011US

Confirmation No. 4220

*Please notify us immediately (509-324-9256) if  
there is a problem with the quality of this fax.*

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/GB/17 (12-04)

Approved for use through 07/31/2008. OMB 0851-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 450.00**Complete if Known**

Application Number	10/726,756
Filing Date	12/3/2003
First Named Inventor	Diggie et al.
Examiner Name	CHAU T NGUYEN
Art Unit	2831
Attorney Docket No.	BE1 - 011US

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 12-0769 Deposit Account Name: Lee & Hayes, PLLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

**Total Claims** 21 - 20 or HP = 1 **Extra Claims** 1 **Fee (\$)** 50 **Fee Paid (\$)** 50

HP = highest number of total claims paid for, if greater than 20

**Indep. Claims** 5 - 3 or HP = 2 **Extra Claims** 2 **Fee (\$)** 200 **Fee Paid (\$)** 400

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets** 100 - 100 = 0 **Extra Sheets** 0 **Number of each additional 50 or fraction thereof** 0 **Fee (\$)** 0 **Fee Paid (\$)** 0

(round up to a whole number) x

**4. OTHER FEE(S)**

Non-English Specification. \$130 fee (no small entity discount)

Other:

**SUBMITTED BY**

Signature

L.C.L.

Registration No.  
(Attorney/Agent)

Telephone (509) 324-9256

Name (Print/Type)

Lewis C. Lee

Date 3/21/05

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

P. 03/12  
RECEIVED  
CENTRAL FAX CENTER  
MAR 21 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No. .... 10/726,756  
Filing Date ..... 3 December 2003  
Inventorship ..... Diggle et al.  
Applicant ..... BellSouth Intellectual Property Corporation  
Group Art Unit ..... 2831  
Examiner ..... Chau N. Nguyen  
Attorney's Docket No. .... BE1-011 US  
Title: Cable Protector

**RESPONSE TO OFFICE ACTION DATED 21 DECEMBER 2004**

To: Commissioner for Patents  
P.O. Box 1450  
Box AF  
Alexandria, VA 22313-1450

From: Lewis C. Lee (Tel. 509-324-9256 x257; Fax 509-323-8979)  
Customer No. 22801  
Lee & Hayes PLLC  
421 W Riverside Avenue, Suite 500  
Spokane, WA 99201

LEE & HAYES, PLLC

RESPONSE TO OFFICE ACTION DATED 21 DECEMBER 2004

ATTORNEY DOCKET NO. BE1-011US

Serial No. 10/726,756

**INTRODUCTORY COMMENTS**

This communication is responsive to the Office Action dated December 21, 2004, for which a three-month shortened statutory period for response is set for March 21, 2005. Please amend the above-captioned application as follows:

**Amendments to the Claims** begin on page 3 of this paper.

**Remarks** begin on page 9 of this paper.